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UNCLAS MANILA 005633

SIPDIS

SENSITIVE

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SUBJECT: GRP CONVICTS FIRST TRAFFICKERS UNDER ANTI-TIP LAW

REF: A. MANILA 5373

[1](#)B. MANILA 5326

[1](#)C. MANILA 4831

[1](#)D. MANILA 3500

[1](#)1. (U) This message is Sensitive But Unclassified --
Please handle accordingly.

[1](#)2. (SBU) Summary: A court in Batangas City, Luzon recently convicted the first three individuals under a 2003 anti-trafficking law. The defendants, facing a serious charge with the potential for a long jail term, pled guilty to a lesser offense, resulting in a sentence of six months community service and a 50,000 peso (USD 940) fine. A Philippine Department of Justice (DoJ) call for reports on all TIP cases in regional, provincial, and city courts revealed that a court in Mindanao had convicted another individual of "white slavery" under a separate anti-prostitution statute in April. End Summary.

First Convictions

[1](#)3. (SBU) On November 9, 11, and 14, the Fourth Regional Trial Court in Batangas City (located about 60 miles south of Manila) sentenced three individuals under R.A. 9208, the Anti-Trafficking in Persons Act. These mark the first successful convictions under the anti-trafficking law, passed in December 2003. The regional court originally charged the three, who had been peddling prostitutes on the street, under Section 4 of the R.A. 9208 -- "trafficking for the purpose of prostitution" -- which carries a maximum sentence of 20 years. However, the accused reached deals with the prosecutor to plead guilty to the lesser offense of violating Section 11 of R.A. 9208 -- "engaging the services of trafficked persons for the purpose of prostitution." The court sentenced each defendant to six months of community service and a 50,000 peso (USD 940) fine. (Note: According to Mission sources, the victims, who had testified when the cases were originally filed, failed to appear at subsequent trials. This prompted the prosecutor to accept a guilty plea to a lesser charge. End Note.)

[1](#)4. (U) Progress on TIP cases has been slow, as is common among all types of cases in the Philippine judicial system. Of the 41 cases filed under R.A. 9208 between December 2003 and November 2005, the recent trials in Batangas were the first to reach a verdict. Overburdened judges, lack of resources, poor police-prosecutor cooperation, and witness tampering all contribute to the glacial pace of justice in the Philippines. Nonetheless, increased numbers of government and NGO prosecutors trying TIP cases has resulted in a quadrupling of cases filed from 2004 to 2005 (ref B). Mission has actively supported this effort through training programs to help police, prosecutors, and social workers build more effective TIP cases (ref A). Senior DoJ officials have promised to provide more detail on the Batangas cases and other pending TIP cases when they meet with Ambassador John Miller during his December 3-6 visit.

TIP Conviction Under a Related Statute

[1](#)5. (U) Earlier in the year, a National Bureau of Investigation (NBI) sting operation led to the arrest of a woman in Butuan City on the island of Minanao in the southern Philippines. The Regional Trial Court convicted the defendant on April 22, 2005 under R.A. 7610, "white slave trade," an anti-prostitution law that predates R.A. [1](#)9208. The court sentenced her to between one year and one day and two years, four months, and one day in jail. DoJ headquarters in Manila had been unaware of this case until Justice Secretary Raul Gonzalez issued a Department-wide order on November 10 directing all regional, provincial, and city prosecutors to submit a report on trafficking cases within their jurisdiction.

JONES